



September 12, 2016

Regular City Council Meeting - Monday, September 12, 2016 - 7:00 pm, Contois Auditorium, City Hall

 [Click here to view the minutes for this meeting](#)

1. Agenda

1.01 Motion to amend/adopt agenda

Type: Action, Procedural

Recommended Action: motion to amend/adopt agenda as follows: note signed copy of agenda item 2.02 Retirement Board Report (per Staffperson Stephanie Harker); note additional written materials for agenda item 2.03 Public Hearings on CDO ZA #16-06 and ZA #16-10 (per Assistant City Attorney Sturtevant); remove from the consent agenda item 4.37 Resolution: November 8, 2016 - Special City Meeting Issuance of General Obligation Bonds for Capital Projects (Board of Finance) and consent agenda item 4.38 Resolution: November 8, 2016 - Special City Meeting Authority to Issue Revenue Bonds for Water System Improvements (Board of Finance) and place both items on the September 19, 2016 Special City Council Meeting Deliberative Agenda (per City Attorney Blackwood); add proposed motion: to set the proposed amendment ZA-16-14 Downtown Mixed Use Core Overlay District, as amended tonight by this Council, for public hearing on September 29, 2016, at 7:00 pm in Contois Auditorium for agenda item 5.01 ZA-16-14 - Downtown Mixed Use Core Overlay with proposed technical corrections (per City Attorney Blackwood)

2. Annual Reports to the City Council

2.01 Police Commission Report

Type: Information, Report

 2016 Annual Police Commission report.pdf

2.02 Retirement Board Report

Type: Information, Report

****note signed copy per Staffperson Stephanie Harker****

 SignedRetirementBoardReport.pdf

 Burlington Employees' Retirement System.pdf



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2.03 Public Hearings on COMPREHENSIVE DEVELOPMENT ORDINANCE - Appendix A-Use Table, Animal Boarding/Kennel/Shelter in Downtown Zoning Districts ZA #16-06 and COMPREHENSIVE DEVELOPMENT ORDINANCE - Parking Waivers & parking Management Plans ZA #16-10

Type: Information, Procedural, Public Hearing

note additional written materials for this agenda item per Assistant City Attorney Sturtevant

Zoning Amendment - ZA #16-06 Animal Boarding-Kennel-Shelter in Downtown Zoning Districts, App A Use Table - All Zoning Districts.docx.pdf

CC Public Hearing Notice ZA 16-06.doc

Zoning Amendment - ZA #16-10 - Waivers from Parking Requirements, Parking Management Plans, Sec. 8.1.15.docx.pdf

CC Public Hearing Notice ZA 16-06.doc

CC Public Hearing Notice ZA 16-10.doc

Zoning Amendment - ZA #16-06 Animal Boarding-Kennel-Shelter in Downtown Zoning District (attachment).pdf

CC Public Hearing Notice ZA 16-10.doc

CH117 Report for ZA-16-06_revised for CC PH.pdf

CH117 Report for ZA-16-10.pdf

3. Public Forum: time certain: 7:30 pm

3.01 Verbal Comments

Type: Information, Procedural

4. Consent Agenda

4.01 Motion to amend/adopt consent agenda taking the following actions as indicated

Type: Action (Consent), Procedural

Recommended Action: motion to amend/adopt consent agenda taking the following actions as indicated

4.02 Communication: C/T Office, re: Accountability List

Type: Action (Consent), Communication, Information

Recommended Action: waive the reading, accept the communication and place it on file

Communication Accountability List 091216 LO.xlsx



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4.03 Communication: C/T Office, re: April 11, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, April 11, 2016, 7:00 pm - Contois Auditorium, City Hall -

4.04 Communication: C/T Office, re: April 11, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, April 11, 2016, begins right after Public Forum - Contois Auditorium, City Hall -

4.05 Communication: C/T Office, re: April 25, 2016 City Council With Mayor Presiding Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, April 25, 2016 - Contois Auditorium, City Hall -

4.06 Communication: C/T Office, re: April 25, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, April 25, 2016 - 6:00 pm - Contois Auditorium, City Hall -

4.07 Communication: C/T Office, re: April 25, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, April 25, 2016, begins after Public Forum - Contois Auditorium, City Hall -



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Regular City Council Meeting - Monday, September 12, 2016 - 7:00 pm, Contois Auditorium, City Hall

4.08 Communication: C/T Office, re: April 27, 2016 Special City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Notice of Special City Council Meeting - Wednesday, April 27, 2016 - 5:00 pm - 7:00 pm, Conference Room 12, City Hall -

4.09 Communication: C/T Office, re: May 2, 2016 Special City Council Worksession Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Special City Council Worksession re: Rental Property Value Reassessments and New Assessments, Monday, May 2, 2016 - 5:30 pm - Contois Auditorium, City Hall -

4.10 Communication: C/T Office, re: May 2, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, May 2, 2016 - 7:00 pm - Contois Auditorium, City Hall -

4.11 Communication: C/T Office, re: May 16, 2016 City Council With Mayor Presiding Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, May 16, 2016 - 7:00 pm - Contois Auditorium - City Hall -

4.12 Communication: C/T Office, re: May 16, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, May 16, 2016 - Contois Auditorium, City Hall -



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4.13 Communication: C/T Office, re: May 16, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, May 16, 2016 - Contois Auditorium, City Hall -

4.14 Communication: C/T Office, re: June 6, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, June 6, 2016 - Contois Auditorium, City Hall -

4.15 Communication: C/T Office, re: June 6, 2016 City Council With Mayor Presiding Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, June 6, 2016, 7:00 pm - Contois Auditorium, City Hall -

4.16 Communication: C/T Office, re: June 6, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 6, 2016 - Contois Auditorium, City Hall - will begin after the City Council With Mayor Presiding Meeting adjourns -

4.17 Communication: C/T Office, re: June 13, 2016 City Council With Mayor Presiding Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from City Council With Mayor Presiding Meeting - Monday, June 13, 2016 - Contois Auditorium, City Hall -



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4.18 Communication: C/T Office, re: June 13, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 13, 2016 - 7:00 pm, Contois Auditorium, City Hall

4.19 Communication: C/T Office, re: June 27, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, June 27, 2016 - Contois Auditorium, City Hall

4.20 Communication: C/T Office, re: June 27, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting, Monday, June 27, 2016, 7:00 pm, Contois Auditorium - City Hall -

4.21 Communication: C/T Office, re: July 11, 2016 Regular City Council Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Regular City Council Meeting - Monday, July 11, 2016 - Contois Auditorium, City Hall

4.22 Communication: C/T Office, re: July 11, 2016 Board of Civil Authority Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Board of Civil Authority Meeting - Monday, July 11, 2016 - Contois Auditorium - City Hall -



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4.23 Communication: C/T Office, re: July 11, 2016 Local Control Commission Meeting Minutes - Draft -

Type: Action (Consent), Communication, Minutes

Recommended Action: waive the reading, accept the communication, place it on file and adopt the minutes as received at the August 15, 2016 City Council Meeting

View Minutes from Local Control Commission Meeting - Monday, July 11, 2016 - 7:00 pm - Contois Auditorium, City Hall -

4.24 Communication: Jeetan Khadka, Parks & Recreation Commission Member, re: Resignation

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file, advertise the vacancy and send Jeetan Khadka a letter of appreciation thanking him for his time served as a Member of the Parks and Recreation Commission

Resignation - Jeetan Khadka.pdf

4.25 Communication: Jared Cadwell, President, VLCT Board of Directors, re: Voting Delegates at the VLCT Annual Business Meeting

Type: Action (Consent), Communication

Recommended Action: The Mayor is authorized to continue to serve as the City's delegate for VLCT's annual meetings per the authority granted to him in the resolution adopted on 9/23/13

Voting Delegates at the VLCT Annual Business Meeting.pdf

4.26 Communication: Amey Radcliff, re: PF Statement 8/15/16

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

PF Statement 8 15 16.pdf

4.27 Communication: Ron Ruloff, re: 8/15/16 PF Handout

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

PF Handout 8 15 16.pdf

4.28 Communication: Amy J. Bovee, Assistant City Clerk, re: Declaration of Elected Candidates Special City Meeting - August 9, 2016

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Elected Candidate - Kathy Olwell.pdf



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4.29 Communication: Caryn Long, 55 Henry Street, re: Mall Redevelopment

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 Mall Redevelopment - Caryn Long.pdf

4.30 Communication: Karen Horn, Director, Public Policy and Advocacy, VLCT, re: 2016 Candidate Forum Toolkit

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 2016 Candidate Forum Toolkit.pdf

4.31 Communication: Karen Horn, Director, Public Policy and Advocacy, VLCT, re: 2017 Draft Municipal Policy

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 2017 Draft Municipal Policy.pdf

4.32 Communication: Andy Simon, 54 Locust Street, re: Public Forum statement on BTC development

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 Public Forum Statement - Andy Simon.pdf

4.33 Communication: Burlington Fire Commission, re: Capital Bond Support

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

 Capital Bond Support - BFD.pdf

4.34 Special Event Outdoor Entertainment Permit Application-one day only extension: Arts Riot, Friday, September 9, 2016, Dancing, Amplified Music, Extension of patio to include parking lot

Type: Action (Consent)

Recommended Action: ratify the one day only extension for Arts Riot, Friday, September 9, 2016

 Special Event Outdoor EP extension for Arts Riot one day only ratification.pdf



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4.35 FIO Documents

Type: Action (Consent), Information

Recommended Action: for information only

For Information Only 9 12 16.pdf

4.36 Ordinance: MOTOR VEHICLES AND TRAFFIC - General Prohibitions - Idling Clause (Councilor Mason; Ordinance Committee)(1st reading)

Type: Action (Consent), Ordinance - Second Reading

Recommended Action: waive the second reading and adopt the ordinance

Motor Vehicles and Traffic – General Prohibitions, Sec. 20-55 - Idling.pdf

4.37 REMOVED FROM AGENDA Resolution: November 8, 2016 - Special City Meeting Issuance of General Obligation Bonds for Capital Projects (Board of Finance)

Type: Resolution

Recommended Action: waive the reading and adopt the resolution

**removed from the consent agenda and will be placed on the September 19, 2016 Special City Council Meeting Deliberative Agenda (per City Attorney Blackwood)

Treasurer - General Obligation Bonds for Capital Projects (Special City Meeting 11-8-16).pdf

4.38 REMOVED FROM AGENDA Resolution: November 8, 2016 - Special City Meeting Authority to Issue Revenue Bonds for Water System Improvements (Board of Finance)

Type: Resolution

Recommended Action: waive the reading and adopt the resolution

**removed from the consent agenda and will be placed on the September 19, 2016 Special City Council Meeting Deliberative Agenda (per City Attorney Blackwood)

Treasurer - Revenue Bonds for the Department of Public Works, Water Div. – Special City Meeting (11-8-16).pdf



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4.39 Resolution: Adoption of Amended Bylaws for Citizens' Advisory Committee on Community Justice Center (CEDO)(Councilor Giannoni)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 Citizens' Advisory Committee By-Laws August 2016.to council.docx

 CEDO, CJC (Community Justice Center) - Citizens' Advisory Committee - Adoption of Amended Bylaws.pdf

 CAC bylaws.old.pdf

 CC Memo Re CAC Bylaws 9-6-16.doc

4.40 Resolution: Authorization of Vermont Electric Power Company and Burlington Electric Department East Avenue and Queen City Substation Reactor Project (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BoF_CC_Checklist - BED VELCO Reactor Project.pdf

 CC VELCO Reactor Project Cover.pdf

 EA-QC Specific Facility Commitment Letter - draft.pdf

 BED - Vermont Electric Power (VELCO) - Authorization of East Ave. & Queen City Substation Reactor Project.pdf

4.41 Resolution: Approval of Amendment to Agreement Between Burlington Electric Department and Sugarbush Resort (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BED - Sugarbush Resort (successor to Winooski One) Approval of Amendment to Agreement.pdf

 AmendmentToSugarbushAgreementWithBED_July 2016.pdf

 CC Sugarbush Contract Amendment Cover.pdf

 BoF_CC_Checklist - BED Sugarbush Agreement.pdf

4.42 Resolution: Creation of Network Operations Supervisor Position - Burlington Telecom (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 BOFCC Checklist BT Creation NOSupervisor 08 29 16.pdf

 BOFCC Packet Creation Network Operations Supervisor 08 29 16.pdf

 HR - BT - Creation of Network Operations Supervisor.pdf



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4.43 Resolution: Authorization to Execute Contract with Travelers Insurance Company for Workers Compensation FY 2017 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - Travelers Insurance Co. - Authorize Contract for Workers Compensation for FY 2017.pdf

BOFCC Packet Travelers WC Contract FY2017.pdf

BOF CC Checklist Travelers WC 08 29 16.pdf

4.44 Resolution: Authorization to Execute Hangar Lease with Shelburne Limestone Corporation at The Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Shelburne Limestone Lease-2016 w Exhibit.pdf

BIA – Shelburne Limestone Corporation - Building Lease at Hangar located off Valley Road.pdf

Shelburne Limestone Lease Memo 2016.pdf

BoF_CC_Checklist.fillable Shelburne Limestone 2016.pdf

4.45 Resolution: Authorization to Execute Building Lease with The Federal Aviation Administration at The Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BIA – Building Lease with FAA for 1252 Airport Dr.pdf

BoF_CC_Checklist.fillable FAA Lease 2016.pdf

FAA Lease Memo 2016.pdf

7.1 - DTFAEN-16-L-00084.pdf

4.46 Resolution: Authorization of Burlington Electric Department's Renewal of Contract for Property/Boiler and Machinery Insurance-2016 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Checklist for BOF-CC 2016.pdf

BED – Property Boiler & Machinery Insurance Renewal of Contract (2016).pdf

4. BED's Property Boiler and Machinery 2016 Insurance Renewal.pdf



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4.47 Resolution: Reclassification and Retitling of Emergency Communications Supervisor-Police Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 HR - Police - Reclassification of Emergency Communications Supervisor.pdf

 BOFCC Packet Reclass EC Manager 08 29 16.pdf

 BOFCC Checklist Reclassification Emergency Communications Supervisor 08 22 16.pdf

4.48 Resolution: Authorization to Execute Mortgage Deed Re 311 North Avenue (Councilor Bushor)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 CEDO – Authorization to Execute Mortgage Deed re 311 North Avenue.pdf

4.49 Resolution: Authorization to Accept Grant and Purchase Properties Near The Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 1 - AIP Land 2016B - 39 Parcels.pdf

 BIA – Accept FAA Grant to Purchase Properties (39 residential properties near Airport impacted by noise).pdf

 1 - BoF_CC_Checklist.fillable Grant Land 2016 39 Parcels.pdf

4.50 Resolution: Authorization to Accept Grant for An Updated Noise Compatibility Program at The Burlington International Airport (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

 2 - BoF_CC_Checklist.fillable Grant NCP Update.pdf

 BIA – Accept FAA Grant for an Updated Noise Compatibility Program.pdf

 2 - AIP NCP Update Memo.pdf

5. Deliberative Agenda



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5.01 ZA-16-14 - Downtown Mixed Use Core Overlay with proposed technical corrections

Type: Action, Discussion, Information

Recommended Action: Proposed Motion: To set the proposed amendment ZA-16-14 Downtown Mixed Use Core Overlay District, as amended tonight by this Council, for public hearing on September 29, 2016, at 7:00 pm in Contois Auditorium. (per City Attorney Blackwood)

Proposed Motion: To set the proposed amendment ZA-16-14 Downtown Mixed Use Core Overlay District, as amended tonight by this Council, for public hearing on September 29, 2016, at 7:00 pm in Contois Auditorium. (per City Attorney Blackwood)

DMUC Overlay Amendments - details.pdf

ZA-16-14 DMUC Overlay for Council Worksessions.pdf

6. Committee Reports

6.01 Verbal Reports

Type: Information, Procedural

7. City Council - General Affairs

7.01 Verbal Reports

Type: Information, Procedural

8. City Council President - Council Updates

8.01 Verbal Reports

Type: Information, Procedural

9. Mayor - General Affairs

9.01 Verbal Reports

Type: Information, Procedural

10. Adjournment



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10.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: motion to adjourn

11. Informational Statement

11.01 Members of the public may speak when recognized by the City Council President, during Public Forum (time certain: 7:30 pm) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 two days after the meeting starting at 8:00 pm, repeating at 1:00 am, 7:00 am and 1:00 pm the following day. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (865-7136)(TTY 865-7142)

Type: Information